



Room 301, Hall of Records
2281 Tulare Street
Fresno, California 93721-2198
Telephone: (559) 488-3529
Toll Free: 1-800-742-1011

Board of Supervisors Agenda

Chairman

Juan Arambula
3rd District

Vice Chairman

Susan B. Anderson
2nd District

Phil Larson

1st District

Judith G. Case

4th District

Bob Waterston

5th District

Bart Bohn

County Admin. Officer

Phillip S. Cronin

County Counsel

Bernice E. Seidel

Clerk

ACTION SUMMARY MINUTES

TUESDAY

APRIL 8, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

Supervisor Arambula

1. Recognize Pete J. Penner for his dedication and contributions to the Sun-Maid Growers of California and residents of the County of Fresno

AnLCA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-144

2. Recognize the need to accept the Matricula Consular as an official form of identification

LCAnA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-145

3. Proclaim the month of April 2003 as National Donate Life Month, and commend California Transplant Donor Network for its work and the Holmes Family for their gift of life

LCAnA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-146

4. Proclaim April 2003 as National Child Abuse Prevention Month

AnLCA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-147

5. Proclaim April 2003 as Alcohol Awareness Month

CAnLA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-148

6. Adopt resolution proclaiming April 21 through 27, 2003, as Community Development Block Grant Week

CAnLA
W/ab

APPROVED AS RECOMMENDED

7. Receive presentation from members of Casa San Miguel

RECEIVED

Supervisor Case

8. Recognize California Masonic Public Schools Month and the Selma Lodge Scholarship Program

CLAnLA
W/ab

APPROVED AS RECOMMENDED; ADOPTED RESOLUTION NO. 03-151

9. **Morning Consent Agenda – Item Numbers 21 - 42**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnLCA
W/ab

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM #23 WHICH WAS PULLED AND DEFERRED TO P.M. REGULAR AGENDA FOR DISCUSSION ALONG WITH A CORRECTION NOTING THAT THE DOLLAR AMOUNT OF \$25,258.55 SHOULD HAVE BEEN ON ITEM #24; AND WITH THE EXCEPTION OF ITEM 36 WHICH WAS PULLED FOR DISCUSSION

CAnLA
W/ab

APPROVED ITEM NO. 36 AS RECOMMENDED

County Counsel

10. Hold first hearing on ordinance to amend Fresno County Ordinance Code section 4.16.090 concerning the allocation of sales and use tax revenues between the County and the Cities of Firebaugh and Reedley and set second hearing for April 29, 2003

LAnCA
W/ab

APPROVED AS RECOMMENDED; WAIVED READING OF ORDINANCE IN ITS ENTIRETY

Administrative Office

11. Consider and take action on planning items relating to the location of State Route (SR) 180 and request Caltrans continue with appropriate studies and processes; advise Caltrans of County's willingness to consider its request to pursue designation of existing State Route 33 between Mendota and Firebaugh, and Nees Avenue between Firebaugh and I-5, as State Route 180 (Traversable Highway option) as a possible interim measure to establish the ultimate location subject to the completion of further written analysis and scheduling of public information meeting by Caltrans; request that comparable information be provided to the public and cities at a public information meeting as to the requirements to implement highway bypasses of corridor cities; and authorize Chairman to send letter to Council of Fresno County Governments (COG) requesting COG's assistance in scheduling forums with federal legislators and regional partners to assess potential and preferences for timely use of \$35 million set aside for extension of SR 180 and direct County staff to assist in this process

LAnCWA

APPROVED AS RECOMMENDED

12. Approve Salary Resolution Amendments (Appendix D) effective June 23, 2003, which delete the following; District Attorney Budget 2860, five positions; District Attorney – Grants Budget 2862, two positions; District Attorney – Welfare Fraud/Child Abduction/Special Remedies/Training Budget 2863, 38 positions; Probation Budget 3430, four positions; and Public Defender Budget 2880, three positions

AnCLWA

CONTINUED TO APRIL 29, 2003

13. Adopt resolution increasing the FY 2002-03 Department of Child Support Services appropriations and estimated revenues (\$52,000) to purchase equipment with one-time Health Insurance Incentive Funds (4/5 vote); and approve and authorize Clerk to execute Budget Transfer No. 56 (\$628,550) to reallocate existing appropriations to finance recommended expenditures for postage (\$400,000), equipment (\$103,550), and remodeling (\$125,000)

CLAnWA

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF THE REMODEL;

CAnLWA

DIRECTED STAFF TO LOOK FOR ADDITIONAL INVESTMENTS THAT COULD ENHANCE COMPUTER SYSTEMS FOR EMPLOYEES AND EQUIPMENT TO ENHANCE PRODUCTIVITY OF EMPLOYEES; EVALUATE EACH CUBICLE FOR EFFICIENCY; FUND EXTRA HELP STAFF TO REDUCE WORK LOADS THIS YEAR; AND EVALUATE IF THE CHILD SUPPORT FUNDING CAN SUPPORT OTHER SERVICES

14. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

RECEIVED

15. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

CITIZENS REVIEW PANEL (Library Sales Tax)

APPOINTED VENANCIO GAONA TO REPLACE KEVIN FITGERALD

FRESNO MOSQUITO AND VECTOR CONTROL DISTRICT

RESCINDED APPOINTMENT OF LAVANICE G. JOHNSON (SINCE IT DUPLICATED PREVIOUS APPOINTMENT)

FRESNO-MADERA AREA AGENCY ON AGING

REAPPOINTED ROBERT WARD

HISTORICAL LANDMARKS & RECORDS ADVISORY COMMISSION

REAPPOINTED STEPHEN BARILE

HOUSING AUTHORITY

REAPPOINTED HELEN HARPER TO TENANT POSITION FOR ANOTHER TERM

HOUSING & COMMUNITY DEVELOPMENT CITIZENS ADVISORY COMMITTEE

MOVE FELICIANO PLATAS LARA FROM UNINCORPORATED METRO AREA POSITION TO FILL VACANCY IN CALWA (CREATING VACANCY IN MR. LARA'S POSITION)

LOCAL CHILD CARE & DEVELOPMENT PLANNING COUNCIL

REAPPOINTED DEBORAH OSBORNE

NATIONAL GUARD COMMITTEE

REAPPOINTED BILL KIDD

SAN JOAQUIN VALLEY WATER COALITION COUNCIL

APPOINTED DAVID ORTH IN THE ENVIRONMENTAL POSITION AND SERGEANT GREEN IN THE BUSINESS POSITION

SELMA CEMETERY DISTRICT

APPOINTED RON BAKER TO REPLACE RALPH GARCIA

WATER ADVISORY COMMITTEE

REAPPOINTED SERGEANT GREEN AND GARVIN WHITE

APPROVED NOMINATIONS FOR APPOINTMENTS/REAPPOINTMENTS /RESCISSION

County Counsel

16. **Closed Session –**

- a. Conference with legal counsel – Existing Litigation Government Code Section 54956.9 (a), In re W.R. Grace, U.S. Bankruptcy Court, Delaware, Case No. 01-01139JKF

HELD

- b. Conference with legal counsel – Initiation of Litigation Government Code Section 54956.9 (c) No. of Cases: 1

BY UNANIMOUS VOTE, THE BOARD AUTHORIZED COUNTY COUNSEL TO INITIATE LITIGATION TO RECOVER ELECTION COSTS FROM COLIN KOOYAMLIJIAN AND ROBERT WILLIAMS

Sitting as the IHSS Public Authority Governing Board:

- c. Conference with Labor Negotiator (GC 54957.6): Agency Negotiator: Ralph Jimenez; Employee Organization: SEIU Local 250 – Hours, Wages, and Terms and Conditions of Employment

HELD

NOON RECESS

2:00 P.M.

17. Afternoon Consent Agenda – Item Numbers 43 - 51

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnCLWA

APPROVED AS RECOMMENDED, WITH THE EXCEPTION OF ITEM NO. 48, WHICH WAS PULLED FOR DISCUSSION

CLAnWA

APPROVED ITEM NO. 48 AS RECOMMENDED, CONDITIONED UPON THE CITY OF FRESNO ALSO AGREEING TO ACQUIRE EXISTING COUNTY PORTIONS OF MARKS AVENUE BETWEEN BELMONT AVENUE AND WHITESBRIDGE ROAD

Administrative Office

18. Consider and adopt revised Regulations and Procedures for the Implementation of the California Environmental Quality Act, including modified Environmental Impact Report Consultant Selection Process (continued from January 28, 2003)

CLAnWA

APPROVED AS RECOMMENDED

19. Consider and take action on Amendment Application No. 3714 and Variance Application No. 3744 to rezone a 28,928 square-foot parcel from the AL-20 District to the R-1(c) District, and allow lot depth of 111 feet (minimum 120 feet required), located on the east side of S. Fruit Avenue, between W. Annadale and W. Jensen Avenues, approximately one quarter-mile south of the nearest boundary of the City of Fresno (2749 S. Fruit)

AnLCWA

ADOPTED FINDINGS; APPROVED AMENDMENT APPLICATION NO. 3714 AND VARIANCE APPLICATION NO. 3744 WITH CONDITIONS AS RECOMMENDED BY THE PLANNING COMMISSION; AND ADOPTED ORDINANCE NO. R-421-3714

20. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD

CAnLWA

ADJOURNED

NEXT MEETINGS:

April 29, 2003 – 9:00 A.M.

May 13, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

MORNING CONSENT AGENDA – Item Numbers 21 - 42

(Any Board Member may pull any consent item for discussion or separate vote)

AnLCA
W/ab

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM #23 WHICH WAS PULLED AND DEFERRED TO P.M. REGULAR AGENDA FOR DISCUSSION ALONG WITH A CORRECTION NOTING THAT THE DOLLAR AMOUNT OF \$25,258.55 SHOULD HAVE BEEN ON ITEM #24; AND WITH THE EXCEPTION OF ITEM 36 WHICH WAS PULLED FOR DISCUSSION

CAnLA
W/ab

APPROVED ITEM NO. 36 AS RECOMMENDED

Supervisor Arambula

21. Adopt resolution recognizing the Honorable Chuck Poochigian as Man of the Year
22. Adopt resolution supporting the establishment of an Inter-Agency Neighborhood Schools Development Team

Auditor-Controller/Treasurer-Tax Collector

23. Approve and authorize Chairman to execute agreement with Kelling, Northcross and Nobriga to act as the financial advisor for the County's Tax and Revenue anticipation notes and other projects as requested

CAnLWA

APPROVED AS RECOMMENDED

24. Authorize Auditor-Controller/Treasurer-Tax Collector to distribute State Highway rental property funds (\$25,258.55)

County Counsel

25. Adopt amendments to Local Rules for Assessment Appeals Board

Agreements – Approve and Authorize Chairman to Execute

26. Agreements with the law firm of Hawkins, Delafield & Wood to act as special bond and disclosure counsels (\$23,750) for FY 2003-04 Tax and Revenue anticipation notes and to act as special bond counsel for other special projects in FY 2003-04 (\$26,250)
27. Indemnification agreement with Quail Lake, LLC regarding General Plan Amendment No. 497, Initial Study Application No. 4891
28. Agreement with Makrothumia Corporation to waive limitations to date certain

District Attorney

29. Approve and authorize Chairman to execute the agreement with the United States Department of Justice, Bureau of Justice Assistance for the Project Sentry program (\$400,000); adopt a resolution increasing appropriations and estimated revenue for FY 2002-03 District Attorney Grants Org. 28621000 (\$27,602) (4/5 vote); and approve Salary Resolution Amendment, Appendix C, adding one Deputy District Attorney position to the District Attorney Grants Org. 28621000

Sheriff

30. Approve and authorize Chairman to execute revenue agreement with the U.S. Forest Service for Law Enforcement Services at Huntington Lake (\$41,000)

Administrative Office

31. **Salary Resolution Amendments/Application of Personnel Rules** (Copy of amendments attached in Supervisors' Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
32. Adopt resolution accepting and expressing gratitude for a donation received from Hazera Seed in the amount of \$1,000 to the Cooperative Extension Research Trust Fund
33. Conduct second hearing to consider amending the Fresno County Master Schedule of Fees, Charges, and Cost Recovery Ordinance by amending Schedule A, Section 1100, relating to a library fee for low volume copy machine copies
34. Approve final allocation plan and budget for Maternal, Child and Adolescent Health Program, and authorize the Chairman to execute allocation funding form to accept funds from the State Department of Health Services, for the FY 2002-03 Maternal and Child Health allocation (\$8,830,920); approve and authorize Chairman to execute retroactive amendment to the revenue agreement with Children and Families Commission of Fresno County and related signatory authorization for the Breastfeeding Education, Training and Support Project; and adopt resolution increasing the FY 2002-03 Department of Community Health Org. 56201727 appropriations and estimated revenues (\$348,678) (4/5 vote)
35. Authorize submittal of a grant application to the United States Department of Justice, Office of Justice Programs to, provide offsetting costs of up to 50% for the purchase of 124 bulletproof vests for the Probation and Sheriff Departments
36. Approve and authorize the Clerk to execute Budget Transfer No. 58 (\$413,700) for the Human Services System Administration to reallocate existing appropriations to finance annual leave payoffs for employees retiring in FY 2002-03

APPROVED ITEM NO. 36 AS RECOMMENDED

CAnLA
W/ab

Agreements – Approve and Authorize Chairman to Execute

37. Retroactive amendment to the agreement with the Fresno County Economic Opportunities Commission for the provision of case management services at the Sanctuary Youth Shelter facility (\$-4,971)
38. Revenue agreements with Fresno Unified School District (\$17,061) and Clovis Unified School District (\$7,150) for K-six case management services

39. Amendment to the agreement with Exceptional Parents Unlimited, Inc., for additional Community-Based In-Home Intensive Services (\$446,400)
40. Retroactive amendment to agreement with Fresno Community Hospital and Medical Center for referral of Fresno County Mental Health Consumers for inpatient psychiatric services
41. Retroactive amendment to agreement with Kaweah Delta Health Care District for referral of mental health consumers to Cypress Mental Health Center for inpatient psychiatric services on an overflow basis (\$300,000)
42. Termination of an agreement with A/Dolphin Associates for consulting services to develop a Video Production System Plan (\$20,780)

AFTERNOON CONSENT AGENDA – Item Numbers 43 - 51

(Any Board Member may pull any consent item for discussion or separate vote)

AnCLWA

APPROVED AS RECOMMENDED, WITH THE EXCEPTION OF ITEM NO. 48, WHICH WAS PULLED FOR DISCUSSION

CLAnWA

APPROVED ITEM NO. 48 AS RECOMMENDED, CONDITIONED UPON THE CITY OF FRESNO ALSO AGREEING TO ACQUIRE EXISTING COUNTY PORTIONS OF MARKS AVENUE BETWEEN BELMONT AVENUE AND WHITESBRIDGE ROAD

43. Adopt resolution authorizing Chairman to sign and submit a FY 2003-04 grant application to the California Department of Conservation for beverage container recycling and litter reduction activities
44. Approve Budget Transfer No. 55 (\$8,736) from Waterworks District No. 40, Fund 0900, Subclass 16000, Org. 9360, Contingencies Account 8991 to Maintenance – Buildings & Grounds Account 7220, and adopt a budget resolution increasing the FY 2002-03 appropriations by \$15,000 in Waterworks District No. 40, Fund 0900, Subclass 16000, Org. 9360, Maintenance – Buildings & Grounds Account 7220 from General Reserves (4/5 Vote)
45. Approve Budget Transfer No. 61 (\$4,575) from County Service Area No. 40, Fund 0860, Subclass 16000, Org. 9198, Contingencies Account 8991 to Professional & Specialized Services Account 7295
46. Approve Budget Transfer No. 60 (\$7,051) from Waterworks District No. 41-S, Fund 0920, Subclass 16000, Org. 9351, Contingencies Account 8991 to Maintenance – Buildings & Grounds Account 7220, and adopt a budget resolution increasing the FY 2002-03 appropriations by \$22,949 in Waterworks District No. 41-S, Fund 0920, Subclass 16000, Org. 9351, Maintenance – Buildings & Grounds Account 7220 from General Reserves (4/5 vote)
47. Endorse the Council of Fresno County Governments 2003-04 Draft Overall Work Program
48. Approve request by the City of Fresno to acquire road right-of-way along Marks Avenue from Whites Bridge Road to approximately 300 feet north of Belmont Avenue, as indicated on the attached exhibits

CLAnWA

APPROVED ITEM NO. 48 AS RECOMMENDED, CONDITIONED UPON THE CITY OF FRESNO ALSO AGREEING TO ACQUIRE EXISTING COUNTY PORTIONS OF MARKS AVENUE BETWEEN BELMONT AVENUE AND WHITESBRIDGE ROAD

49. Approve request by the City of Clovis to acquire road right-of-way along Polson Avenue from Ryan Avenue to Locan Avenue, as indicated on the attached exhibits, and adopt a resolution authorizing the installation of a stop sign on Polson Avenue at Locan Avenue
50. Award Contract No. 02-S-05 for Americans with Disabilities Act Compliance and other improvements to Building No. 340 on the University Medical Center Campus, a Department of Employment and Temporary Assistance facility, to the low bidder, Mark Wilson Construction Inc., 895 West Ashlan Avenue, #102, Clovis (\$405,924)

Agreements – Approve and Authorize Chairman to Execute

51. Approve and authorize Chairman to execute Retroactive Agreement with California Department of Forestry and Fire Protection (\$5,460) for fire protection dispatch services in County Service Area No. 31 - Shaver Lake